CFI (1) (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

W.P. No. 3655 /2004 Single Bench

PETITIONER : Narendra Harchandani, S/o. Prabhudas Harchandani, R/o.G-12, Anupam Nagar, Raipur, (C.G.) Director & Guarantor of M/s. K.P. Polymers Limited 639, Sector B, Urla Industrial Complex, Raipur, Chhattisgarh

P.R. No. 36-39/04 Presented by Shri. Rajkeshwar Thy dated 30-9-04

VERSUS

RESPONDENTS:

1. Central Bank of India, Through: Its Regional Manager, Central Bank of India, Regional Office, Choubey Colony, Raipur, Chhattisgarh

2. The Zonal Manager, Central Bank of India, Zonal Office, Bombay Market, Raipur, Chhattisgarh

3. The Senior Manager, Central Bank of India, Sadar Bazar, Raipur, Chhattisgarh

30/9/04

RECEIVED COPY 30.9.04 Clerk to A.G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(17)

आदेश पत्रक

मामला क्रमांक W.P. No. 3655/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	07.12.2004 Shri Sanjay Kumar Agrawal, counsel for the petitioner. None for the respondents. Heard on admission. By invoking the provisions of Section 13 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002, the creditor said to be the Bank had taken possession of the secured assets and aggrieved with that proceedings the petitioner has challenged the proceedings by way of Writ Petition under Article 226/227 of the Constitution of India. When there is a right to appeal as provided under Section 17 of the said Act, then it was required for the person aggrieved to file an appeal against the said proceedings and not to come before this Court under its Writ jurisdiction. The petitioner, if he so desires, can file an appeal before competent Tribunal in accordance with law. With the aforesaid observations and directions, the petition stands disposed of. Consequently, I.A.No.7640/04 for urgent hearing stands disposed of. Sd/- Vijay Kumar Shrivastava Judge	

[पीछे देखिये